



January 31, 2002

HOUSE BILL No. 1073

DIGEST OF HB 1073 (Updated January 29, 2002 6:46 PM - DI 106)

Citations Affected: Noncode.

Synopsis: Establishes the commission on juvenile law to recommend changes in juvenile law by January 1, 2003, and appropriates \$18,000 to fund the commission.

Effective: Upon passage; July 1, 2002.

Avery, Young D, Herrell, Bardon

January 8, 2002, read first time and referred to Committee on Judiciary.
January 30, 2002, amended, reported — Do Pass.

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HB 1073—LS 6612/DI 106+



January 31, 2002

Second Regular Session 112th General Assembly (2002)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2001 General Assembly.

HOUSE BILL No. 1073

A BILL FOR AN ACT concerning family law and juvenile law and to make an appropriation.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. [EFFECTIVE JULY 1, 2002] (a) As used in this
2 section, "commission" refers to the commission on juvenile law
3 established by this SECTION.

4 (b) The commission consists of the following members:

5 (1) Two (2) members of the house of representatives, to be
6 appointed by the speaker of the house of representatives.

7 (2) Two (2) members of the senate, to be appointed by the
8 president pro tempore of the senate.

9 (3) One (1) prosecuting attorney, to be appointed by the
10 speaker of the house of representatives.

11 (4) One (1) juvenile public defender, to be appointed by the
12 president pro tempore of the senate.

13 (5) Three (3) judges or magistrates having responsibility for
14 juvenile law. The chief justice shall recommend three (3)
15 judges or magistrates having responsibility for juvenile law
16 for appointment to the commission. The chief justice's
17 recommendation is nonbinding. Two (2) judges or magistrates

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shall be appointed by the speaker of the house of representatives. One (1) judge or magistrate shall be appointed by the president pro tempore of the senate.

(6) One (1) court appointed special advocate (CASA) or guardian ad litem, to be appointed by the president pro tempore of the senate.

(7) The secretary of the family and social services agency (FSSA), or the secretary's designee.

(8) One (1) representative of a probation department, to be appointed by the president pro tempore of the senate.

(9) One (1) representative of a law enforcement agency, to be appointed by the president pro tempore of the senate.

(10) One (1) attorney licensed to practice law in Indiana who is a member of the Indiana state bar association's committee on civil rights for children, to be appointed by the speaker of the house of representatives.

(11) One (1) county commissioner, to be appointed by the speaker of the house of representatives.

(12) One (1) county council member, to be appointed by the president pro tempore of the senate.

(13) The commissioner of the department of correction, or the commissioner's designee.

(14) One (1) representative of the Indiana judicial center, to be appointed by the chief justice.

(15) One (1) educator, to be appointed by the president pro tempore of the senate.

(16) One (1) mental health practitioner who primarily focuses on the mental health of children, to be appointed by the president pro tempore of the senate.

(17) Two (2) persons employed by two (2) different nonprofit organizations that address delinquency and juvenile justice issues, to be appointed by the speaker of the house of representatives.

(18) The director of the Indiana criminal justice institute, or the director's designee.

(c) The governor shall appoint one (1) of the commission members to serve as chairperson.

(d) There is established the commission on juvenile law. The commission shall recommend changes in juvenile law by January 1, 2003.

(e) The Indiana criminal justice institute shall staff the commission and provide administrative support. In addition, the

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1 legislative services agency shall provide support for bill drafting
2 and fiscal analysis upon request of a legislative member of the
3 commission.

4 (f) Except as provided in subsection (i), the expenses of the
5 commission shall be paid by the Indiana criminal justice institute
6 from the commission on juvenile law fund.

7 (g) Each member of the commission who is not a state employee
8 is entitled to the minimum salary per diem provided by
9 IC 4-10-11-2.1(b). The member is also entitled to reimbursement
10 for traveling expenses as provided under IC 4-13-1-4 and other
11 expenses actually incurred in connection with the member's duties
12 as provided in the state policies and procedures established by the
13 Indiana department of administration and approved by the budget
14 agency.

15 (h) Each member of the commission who is a state employee but
16 who is not a member of the general assembly is entitled to
17 reimbursement for traveling expenses as provided under
18 IC 4-13-1-4 and other expenses actually incurred in connection
19 with the member's duties as provided in the state policies and
20 procedures established by the Indiana department of
21 administration and approved by the budget agency.

22 (i) Each member of the commission who is a member of the
23 general assembly is entitled to receive the same per diem, mileage,
24 and travel allowances paid to legislative members of interim study
25 committees established by the legislative council. Per diem,
26 mileage, and travel allowances paid under this subsection shall be
27 paid from appropriations made to the legislative council or the
28 legislative services agency.

29 (j) The affirmative votes of a majority of the members
30 appointed to the commission are required for the commission to
31 take action on any measure, including final reports.

32 (k) This SECTION expires January 1, 2003.

33 SECTION 2. [EFFECTIVE UPON PASSAGE] (a) There is created
34 the commission on juvenile law account within the state general
35 fund. The commission on juvenile law account consists of
36 appropriations made by the general assembly and donations.

37 (b) There is appropriated to the commission on juvenile law
38 account eighteen thousand dollars (\$18,000) from the state general
39 fund to fund the commission on juvenile law beginning on the
40 effective date of this act, and ending December 31, 2002. The
41 money appropriated by this SECTION does not revert to the state
42 general fund at the close of any fiscal year but remains available to

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1 the Indiana criminal justice institute until the purpose for which it
2 was appropriated is fulfilled.

3 (c) This SECTION expires January 1, 2003.

4 SECTION 3. An emergency is declared for this act.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred House Bill 1073, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT concerning family law and juvenile law and to make an appropriation.

Page 1, delete lines 1 through 17.

Page 2, delete lines 1 through 37.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1073 as introduced.)

STURTZ, Chair

Committee Vote: yeas 9, nays 0.

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